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12/495,344	06/30/2009	Pradeep Sindhu	JUNI-015/02US 108200-2058	2657
83463	7590	04/13/2017	EXAMINER	
Juniper Networks, Inc. c/o Cooley LLP 1299 Pennsylvania Avenue, NW, Suite 700 WASHINGTON, DC 20004			LEE, ANDREW CHUNG CHEUNG	
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* PRADEEP SINDHU, GUNES AYBAY,  
JEAN-MARC FRAILONG, ANJAN VENKATRAMANI,  
and QUAIZAR VOHRA

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Appeal 2015-001806  
Application 12/495,344  
Technology Center 2400

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Before ALLEN R. MacDONALD, JEAN R. HOMERE, and  
BETH Z. SHAW, *Administrative Patent Judges*.

SHAW, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1–17, 19–24, and 26, which are the only claims currently pending in this application. App. Br. 5. We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

INVENTION

Appellants' application relates to data center systems with switch core and edge devices. Spec. ¶¶ 1005–1006.

Claim 1, which is illustrative, reads as follows:

1. An apparatus, comprising:  
a switch core defining a single logical entity and having a multi-stage switch fabric having a plurality of stages physically

distributed across a plurality of chassis, a switch module associated with a first stage of the multi-stage switch fabric being physically located in a first chassis from the plurality of chassis, a switch module associated with a second stage of the multi-stage switch fabric being physically located in a second chassis from the plurality of chassis mutually exclusive from the first chassis, the plurality of stages collectively having a plurality of ingress ports and a plurality of egress ports, the switch core configured to be coupled to a plurality of peripheral processing devices via the plurality of ingress ports and the plurality of egress ports,

the switch core configured to admit a plurality of cells associated with a packet into an ingress port from the plurality of ingress ports when delivery of the plurality of cells can be substantially guaranteed without loss through the multi-stage switch fabric.

#### REJECTION AT ISSUE

The Examiner rejected claims 1–17, 19–24, and 26 under 35 U.S.C. § 103 as being unpatentable over Cafiero (US 7,564,869 B2; July 21, 2009), Jones (US 2003/0081540 A1; May 1, 2003), Paul (US 6,981,078 B2; Dec. 27, 2005), and Miles (US 6, 665, 495 B1; Dec. 16, 2003). Final Act. 2–18.

#### ANALYSIS

Appellants argue that the Examiner’s rejection is in error. Br. 11–15. We have reviewed Appellants’ arguments in the Brief, the Examiner’s rejection, and the Examiner’s response to Appellants’ arguments. We adopt as our own the findings and reasons set forth in the rejection from which this appeal is taken and in the Examiner’s Answer in response to Appellants’ Appeal Brief. *See* Ans. 5–7, Final Act. 2–18.

Appellants argue that Paul does not “disclose that a first stage of a first switch fabric in the first chassis is coupled to a second stage of a second switch fabric in the second chassis.” Br. 12. Appellants argue that because

Paul allegedly does not disclose this coupling, the various switch fabrics in Paul are not a “single logical entity” as recited by claim 1. *Id.* at 14.

Although Appellants argue that Paul does not disclose a “single logical entity,” the Examiner relies on Cafiero, and not Paul alone, as teaching the claimed “single logical entity.” Final Act. 2–3 (citing Cafiero, Fig. 14, 17:46–61); Ans. 5–6. The Examiner relies on Paul to teach

a switch module associated with a first stage of the multi-stage switch fabric being physically located in a first chassis from the plurality of chassis, a switch module associated with a second stage of the multi-stage switch fabric being physically located in a second chassis from the plurality of chassis mutually exclusive from the first chassis.

*Id.* at 4–5 (citing Paul, 13:19–43; Fig. 11; 6:47–64). Appellants do not appear to dispute that Paul teaches these limitations. Br. 12–14. Although Appellants argue that Paul “does not couple a stage of one switch fabric to a stage of a different switch fabric,” (Br. 13) this argument is not commensurate with the scope of claim 1, which does not recite coupling a stage of one switch fabric to a stage of a different switch fabric.

Appellants also argue that Miles fails to teach the multi-stage fabric physically distributed across a plurality of chassis. Br. 14. However, the Examiner relied on Cafiero and Jones, not Miles alone, to teach this element. Final Act. 2–4; Ans. 5.

For these reasons, we sustain the Examiner’s rejection of claim 1, and of claims 9, and 17, which were argued together with claim 1. *See* Br. 12.

Because Appellants have not presented separate patentability arguments, and have only reiterated the same arguments presented against claims 1, 9, and 17 (*see* Br. 14–15), the remaining pending claims fall for the

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same reasons discussed for claims 1, 9, and 17. *See* 37 C.F.R.  
§ 41.37(c)(1)(iv).

#### DECISION

The decision of the Examiner to reject claims 1–17, 19–24, and 26 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1). *See* 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED